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01- R-1068

Entered - 11/17/99 - sb  
CL99L0742 - DIANNE C. MITCHELL

CLAIM OF: JENNIFER LAWTON  
1870 Avon Avenue, SW  
Atlanta, Georgia 30311-2727

For damages alleged to have been sustained as a result of a sewer  
back up on October 8, 1999 at 1870 Avon Avenue, SW.

THIS ADVERSED REPORT IS APPROVED

BY: Rosalind Rubens Newell  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY *Robert N. C. DCA*

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0742

Date: June 29, 2001

Claimant /Victim JENNIFER LAWTON

BY: (Atty)(Ins. Co.)

Address: 1870 Avon Avenue, SW, Atlanta, Georgia 30311-2727

Subrogation: Claim for Property damage \$ 3,826.44 Bodily Injury \$

Date of Notice: 11/09/99 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 10/08/99 Place: 1870 Avon Avenue, SW

Department Public Works Division: Sewer Operations

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant alleges that her property was damaged due to a sewer back up. The investigation determined that the cause of the back up was due to an accumulation of debris in the line. The City had no notice of any problem with the sewer line prior to the incident involving the claimant. The City is immune from liability as set forth in O.C.G.A. §36-33-1.

INVESTIGATION:

Statements: City employee X Claimant Others Written Oral X

Pictures Diagrams Reports: Police Dept Report X Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial

Improper Notice More than Six Months Other X Damages reasonable

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent Joint Claim Abandoned

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ Adverse X Account charged: 1A01 2J01 2H01

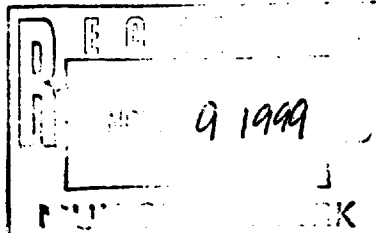
Claims Manager:  Concur/date 06-29-01

Committee Action: Council Action

2111  
Burns  
11/09/99  
[Signature]

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES



Today's Date: 11-2-99

ENTERED - 11-17-99 - SB  
99L0742 - GWEN BURNS JCM

11-02-99 2:01:13 PM

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 3,826.44 property and/or \$ \_\_\_\_\_ bodily injury for which I contend the City is liable.

1. Date of incident: 10-8-99 EST (month/day/year)
2. Police called: Yes ☒ No
3. Location of incident: 1870 AVON AVE ATL, GA 30311
4. Name of your insurance company: \_\_\_\_\_ Policy No. \_\_\_\_\_
5. State what and how incident occurred: MAIN Sewer Back-up From Street to basement

6. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
7. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: \_\_\_\_\_  
(make) (year) N/A (tag number) (driver's name)

City vehicle: \_\_\_\_\_  
(make) N/A (City driver's name) (department/bureau)

8. Witness: \_\_\_\_\_  
(name) (address) (telephone number)

9. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

10. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

[Signature]  
(claimant's name)  
1870 AVON AVE  
(address)

ATL, GA 30311-2727  
(city and state)

404-755-9399 Same  
(work number) (home number)

[Signature]  
Notary Public, Clayton County, Georgia  
My Commission Expires April 2, 2000  
**01-R-1068**